

**Minutes of the Regular Meeting
of the Massachusetts Board of Elementary and Secondary Education
Tuesday, January 23, 2018
11:15 a.m. – 2:35 p.m.
Bridgewater State University
Rondileau Campus Center, Large Ballroom
19 Park Avenue, Bridgewater, MA**

Members of the Board of Elementary and Secondary Education Present:

Paul Sagan, Chair, Cambridge

James Morton, Vice-Chair, Boston

Katherine Craven, Brookline

Ed Doherty, Boston

Amanda Fernandez, Belmont

Margaret McKenna, Boston

Michael Moriarty, Holyoke

James Peyser, Secretary of Education

Mary Ann Stewart, Lexington

Hannah Trimarchi, Chair, Student Advisory Council, Marblehead

Martin West, Newton

Jeff Wulfson, Acting Commissioner of Elementary and Secondary Education,
Secretary to the Board

Chair Sagan called the meeting to order at 11:15 a.m. and the members introduced themselves. Chair Sagan provided his semi-annual disclosure to the Board of Elementary and Secondary Education (BESE) and the public, stating that his wife serves, unpaid, as a board member for the Sposato Graduate School of Education (SGSE). He explained that while the Board of Elementary and Secondary Education does not approve SGSE or other individual educator preparation programs, SGSE and Match Charter Public School are both affiliated with Match Education network. Chair Sagan said if any matter specific to Match Charter Public School were to come to the Board for action, he intends to recuse himself.

Acting Commissioner Wulfson informed the Board of the appointment of Jeffrey Villar as the new receiver for the Southbridge Public Schools and said Dr. Villar will start in February. The Acting Commissioner voiced his appreciation to Senior Associate Commissioner Russell Johnston, who has been serving as interim receiver. Acting Commissioner Wulfson informed the Board that the Department of Elementary and Secondary Education (Department) recently was granted a waiver from the federal requirement that would limit the number of students in the state who take alternate assessments in the current 2017-2018 school year. The waiver from the U.S. Department of Education enables Massachusetts to take a measured approach in working with districts to reduce the number of students who participate in the MCAS-Alt, meeting the requirements of the federal Every Student Succeeds Act and laws relating to students with disabilities. Acting Commissioner Wulfson referred to the informational memo (Item 12) summarizing the Department's work with the Executive Office of Technology Services and Security to help schools upgrade their technology infrastructure. He commended the school districts for their accomplishments.

Acting Commissioner Wulfson reported that, under the authority the Board has delegated to him, he has renewed the charters for: Boston Collegiate Charter School (BCCS), Edward M. Kennedy Academy for Health Careers Horace Mann Charter School (EMK), Four Rivers Charter Public School (FRCPS), and Foxborough Regional Charter School (FRCS). The Acting Commissioner said he did not approve the

request for expansion from the Pioneer Valley Chinese Immersion Charter School and the school has voted to appeal his decision to the Board; the appeal will be scheduled for later in the year. The Acting Commissioner concluded by announcing that *Education Week* has released its annual “Quality Counts” report and for the fourth year in a row listed Massachusetts number one in overall quality. He said this is an affirmation of the great work our teachers, administrators, students, and families do every day.

Statements from the Public

1. **Jackney Prioly Joseph**, Director, Future Ready Massachusetts; Massachusetts Business Alliance for Education, addressed the Board on computer science education.
2. **Scott Andrade**, Salem, addressed the Board on the commissioner search and a charter matter.
3. **Halil Mutlu**, Turkish-American National Steering Committee, addressed the Board on the draft revised History and Social Science curriculum framework.
4. **Isabelina Rodriguez**, Executive Director, Paulo Freire Social Justice Charter School, addressed the Board on the report on conditions and recommendation for a probationary renewal of the charter
5. **Kevin Dumpson**, President of the Paulo Freire Social Justice Charter School Board of Directors, addressed the Board on the report on conditions and recommendation for a probationary renewal of the charter.
6. **Nick Babb**, KIPP Lynn graduate, addressed the Board on the KIPP Lynn expansion request
7. **Genesis Encarnacion**, KIPP Lynn graduate, addressed the Board on the KIPP Lynn expansion request.

Approval of Minutes

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approves the minutes of the December 19, 2017 Regular Meeting.

The vote was unanimous.

Chair Sagan noted that in addition, the voting members of the Board’s Preliminary Screening Committee received minutes from the committee’s last meeting.

On a motion duly made and seconded, it was:

VOTED: that the voting members of the Preliminary Screening Committee approve the minutes of the December 18, 2017 committee meeting.

The vote was unanimous.

Update on Commissioner Search

Chair Sagan invited Korn Ferry search consultant Rosa Morris to the table. Chair Sagan thanked Acting Commissioner Wulfson for his continued work since Commissioner Chester’s tragic death last June. Chair Sagan said the commissioner position in Massachusetts is not a short-term job; stability has been one of our great strengths. He said the search process entailed extensive input from stakeholders and extensive outreach by Ms. Morris. He described the Preliminary Screening Committee process as remarkable, bringing together varied viewpoints and resulting in the unanimous decision to bring forward three very strong finalists for consideration by the full Board. Ms. Craven, a member of the

committee, said it has been a great process and she looks forward to the interviews this Friday. Chair Sagan said the interview order will be Penny Schwinn, Angélica Infante-Green, and Jeff Riley, with each interview scheduled for approximately two hours. He added that no vote will be taken on the interview day. Chair Sagan explained the interviews will be streamed online, stakeholders have been invited to participate, and the public is invited to attend and provide written feedback on the candidates to the Board.

Chair Sagan asked members to review and comment on a set of potential questions for the candidates and members did so. Chair Sagan said based on the feedback, he will tighten up the questions. Ms. Stewart asked about the process for asking the candidates questions. Chair Sagan said each member would start with two assigned questions and have the opportunity to ask more, and he would send the revised list before Friday. Members also received the three candidates' resumes and a summary of their background.

Ms. Stewart asked if additional information could be provided about the special education compliance issue in the state of Texas as it may relate to Ms. Schwinn. Ms. McKenna and Mr. Moriarty also requested clarification and additional materials on this issue. Ms. Morris informed members that they will receive additional information regarding this matter.

Acting Commissioner Wulfson informed the Board that the discussion of the accountability system would be moved up on today's agenda.

Proposed Implementation of the School and District Accountability System

Acting Commissioner Wulfson introduced Russell Johnston, Senior Associate Commissioner, and Rob Curtin, Associate Commissioner, for this next phase of the Board's continuing discussion of the revised school and district accountability system. Mr. Curtin presented information about the weighting of indicators within the revised accountability system, noting there will be three weighting decisions to be made: weighting of indicator categories in the school percentile calculations, weighting of the "meeting target" points, and weighting of performance for "all students" vs. "lowest performing students."

Ms. Craven asked about the Board's vote in June 2014 to endorse a 3:1 achievement-to-growth ratio. Mr. Curtin reviewed the considerations for weighting achievement and growth. Acting Commissioner Wulfson said there is no right or wrong answer; originally the accountability system looked at achievement only, then the ratio was 4:1, and then in 2014, on Commissioner Chester's recommendation, the Board voted for the 3:1 achievement-to-growth ratio. The Acting Commissioner said the system should avoid creating distortions; for example, directing more state resources to a district with relatively low growth when in fact the reason for its low growth is that student performance is already relatively high. Mr. West noted some states assign even weight to achievement and growth, hoping to encourage progress. Secretary Peyser asked about the possibility of moving to a growth-to-standard method in the future, rather than the current normative SGP. Mr. Curtin agreed that if we had a growth-to-standard metric, this decision would be different. For now, he said, the Department recommends maintaining the 3:1 ratio.

In response to questions from Secretary Peyser and Mr. West, Mr. Curtin reviewed the indicators in non-high schools and high schools, discussed school targets, and addressed other aspects of the system. Acting Commissioner Wulfson commented that the transition to a new accountability system is complex and that the Department does not make high-stakes decisions based on a single data point. He added the ESSA state plan is not locked in and could be adjusted as we learn more. Mr. Curtin said three key points in this system are the school percentile, whether a school is meeting or not meeting targets, and the level of state intervention that is warranted. He concluded with the question of weighting of "all students" vs. "lowest performing students" and said the Department is proposing a 50-50 split.

Chair Sagan said ultimately this system has to be understandable to parents. Acting Commissioner Wulfson said this discussion has been helpful; the next step is for the Department to continue discussions with the field and stakeholders and then come back to the Board with proposed regulations that would go out for public comment.

Charter School Matters:

Acting Commissioner Wulfson invited Cliff Chuang, Senior Associate Commissioner; Alison Bagg, Director of Charter Schools and School Redesign; and Claire Smithney, Coordinator of Accountability; to the table to discuss the next three items.

Information on New Charter Applicants

Acting Commissioner Wulfson referred to the memo that the Board received describing the two pending applications for new charters, as well as the process for reviewing applications and granting new charters. He said he will bring his recommendations to the Board in February on any new charters and expansions to existing charters.

Waiver of Regulation Requested by Bentley Academy Charter School (Horace Mann)

Acting Commissioner Wulfson provided a brief overview on the request from the Bentley Academy Charter School. He said the charter school is asking the Board to waive the regulation that requires approval by the local collective bargaining unit before the charter school submits an accountability plan amendment to the Department. Acting Commissioner Wulfson noted that the Salem School Committee approved the accountability plan, and the Salem Teachers Union notified the charter school that it would take no action because the union has "no statutory mandate to approve the plan." The Acting Commissioner said the school has acted in good faith and he recommended that the Board waive the regulation. He added that this is different from the Silver Hill situation last year, where the union declined to sign off on a matter that is required by statute, and the charter school had to close. In this case, the requirement stems from the regulation and the Board may waive it. Mr. Doherty informed the Board that the union did not vote to approve or disapprove the plan because it was not asked to participate in the plan from the start and consequently the union declined to provide input either way.

On a motion duly made and seconded it was:

VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.03(2), hereby waives the requirements in 603 C.M.R. 1.10(4)(b) with respect to approval by the local collective bargaining unit of amendments to the accountability plan for Bentley Academy Charter School. The waiver allows Bentley Academy Charter School to operate with an accountability plan approved by the Salem School Committee and the Commissioner.

Bentley Academy Charter School shall be operated in accordance with the provisions of General Laws chapter 71, section 89, 603 CMR 1.00, and all other applicable state and federal laws and regulations and such additional conditions as the Commissioner may from time to time establish, all of which shall be deemed conditions of the charter.

The motion passed 10-0-1, with Mr. Doherty abstaining.

Report on Conditions for Paulo Freire Social Justice Charter School and Recommendation for a Probationary Renewal

Acting Commissioner Wulfson explained that the Department has high expectations for charter schools and this school is not yet meeting them. He said the Department debated not renewing the charter but was persuaded by the school's turnaround efforts. He expressed appreciation to the President of the Board of Directors and Executive Director of the charter school for attending today's meeting. Acting Commissioner Wulfson noted the Department will carefully monitor the school, saying we want it to succeed and will hold it to high standards.

Ms. Stewart asked why we did not move to probation earlier. Acting Commissioner Wulfson said conditions were imposed in July, and in hindsight, the Department might have pushed harder but it was a difficult time. Mr. Chuang noted that the probationary conditions have a tight timeframe and specific checkpoints. Chair Sagan asked the Executive Director if she is prepared to accept the terms and meet them. Ms. Rodriguez said yes. Mr. Moriarty said he wants to support high functioning charter schools and hopes that once the school meets these conditions, it will address the issue with the facility itself. Chair Sagan said the school should understand the seriousness of the situation; the Board is prepared to close or non-renew a low-performing charter school.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.12(2), hereby renews the charter of Paulo Freire Social Justice Charter School for the five-year period from July 1, 2018 through June 30, 2023 and places the school on probation with conditions on the school's charter, as recommended by the Commissioner:**

1. **Until further notice, PFSJCS must submit to the Department of Elementary and Secondary Education (Department), at charterschools@doe.mass.edu or 75 Pleasant St., Malden, MA, 02148, board and committee meeting agendas, materials, and minutes prior to each board meeting at the same time that these items are sent to the school's board members. Additionally, if board materials do not already include this information, the school must also submit monthly financial statements. The documents must reflect adherence to the Open Meeting Law.**
2. **Until further notice, the school must submit weekly enrollment updates to the Department.**
3. **By February 28, 2018, the school must establish an escrow account in an amount determined by the Department in consultation with the school to pay for any potential closing, legal, and audit expenses associated with closure, should that occur.**
4. **By February 28, 2018, the school must submit financial planning documents for FY19 and FY20 using enrollment projections that take into account the school's historical enrollment trends.**
5. **By April 1, 2018, the school must assess its enrollment trends over time and actual levels of demand and submit an amendment request to address, as appropriate, the school's maximum enrollment including enrollment by grade, a growth plan if needed, and any changes in the districts in the school's region.**

6. By April 18, 2018, all members of the board of trustees must participate in training on the Open Meeting Law offered by the Office of the Attorney General.
7. By May 31, 2018, the board of trustees will work with the Department to obtain approval of its bylaws.
8. By June 1, 2018, the school must submit to the Department a comprehensive evaluation of its mathematics, English language arts, and science programs. Such comprehensive evaluation must be conducted by an external consultant(s) acceptable to and approved in advance by the Department.
9. By June 29, 2018, the school must submit to the Department for approval an action plan to improve academic performance. Such action plan must specify the strategies to improve mathematics, English language arts, and science performance for all student groups. The action plan must set clear and specific implementation benchmarks, with a clear timetable and deadlines for completion of key tasks sufficient to allow the school's board of trustees and the Department to monitor implementation.
10. By November 1, 2018, the school must demonstrate actual enrollment sufficient to meet its budget, maximum enrollment, and any approved growth plan for enrollment. Should the school fail to do so, the Commissioner and the Board of Elementary and Secondary Education will consider revoking the school's charter during the 2018-2019 school year, with the revocation to take effect by the end of the 2018-2019 school year based on failure to meet this single condition alone.
11. By December 31, 2019, the school must demonstrate that it is an academic success by providing evidence that the school has exhibited significant and sustained academic improvement in mathematics, English language arts, and science.

Failure of PFSJCS to meet the conditions placed on renewal of its charter within the timelines specified may result in immediate suspension and revocation of the school's charter. The Commissioner shall review and report to the Board on the success or lack of success of Paulo Freire Social Justice Charter School in meeting the terms of probation and its charter and, based upon his review, shall recommend such further action as he deems appropriate.

Commonwealth Charter School:

Paulo Freire Social Justice Charter School

Location: Holyoke

Districts in Region: Chicopee, Holyoke, Northampton, South Hadley, West Springfield, and Westfield

Maximum Enrollment: 500

Grade levels: 9-12

In addition to meeting the terms of probation, Paulo Freire Social Justice Charter School, like all charter schools, must comply with the terms of its charter. Paulo Freire Social Justice Charter School shall be operated in accordance with the provisions of General Laws chapter 71, section 89, 603 CMR 1.00, and all other applicable state and federal laws and regulations and such additional conditions as the Commissioner may from time to time establish, all of which shall be deemed conditions of the charter.

The vote was unanimous.

Chair Sagan called for a short break. The meeting reconvened at 2:03 p.m.

Draft Revised History and Social Science Curriculum Framework

Acting Commissioner Wulfson introduced Heather Peske, Senior Associate Commissioner, and David Buchanan, Consultant, to provide an overview of the full draft of the revised History and Social Science curriculum framework. He said at the conclusion of the discussion he would ask the Board to vote to send it out for public comment. Ms. Peske acknowledged the work of Susan Wheltle. Mr. Buchanan thanked the Board and the review panel. He walked through the timeline that will lead to a vote by the Board, anticipated in June 2018, to adopt the revised framework. Mr. Buchanan explained the two priorities for the History and Social Science framework review were to emphasize civics education and to deepen students' understanding. He said the emphasis on civics education includes a new full-year civics course in grade 8, integrating civics standards into every grade, revising the U.S. Government and Politics standard in grade 12, and emphasizing civics in supporting sections. Mr. Buchanan said deepening students' understanding meant improving the clarity, coherence, current scholarship, and rigor of the standards. He concluded by providing an overview of the scope and sequence from PreK-12th grade.

Ms. Stewart asked if a letter had been sent back to the Legislature regarding civics education. Chair Sagan said a response was sent and Ms. Bettencourt would send a copy to members. In response to a question from Mr. Doherty, Mr. Buchanan said the timing for the grade 8 civics course would be a local decision; it could five days per week for a full year.

Chair Sagan informed the Board that he had to leave the meeting and handed the gavel over to Vice-Chair Morton at 2:16 p.m. for the remainder of the meeting.

Secretary Peyser thanked Mr. Buchanan, Ms. Peske, and Ms. Wheltle for all their work on the revision process, adding that they built on a strong foundation and made it even better. He offered his congratulations. Ms. Fernandez asked about personal financial literacy and how it will be taught in low income communities. Mr. Buchanan explained that while the framework does not prescribe how to teach the standards, it offers recommendations on ways to reach diverse learners.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Elementary and Secondary Education, in accordance with Chapter 69, Sections 1D and 1E of the Mass. General Laws, authorize the Commissioner to solicit public comment on the proposed revised *Massachusetts History and Social Science Curriculum Framework*.**

The vote was unanimous.

Update on Students from Puerto Rico

Helene Bettencourt, Chief of Staff, presented an overview on the enrollment in Massachusetts schools of students who left Puerto Rico due to the devastating hurricanes. She said the total was 2,298 as of January 12, 2018, and districts continue to welcome new students. Ms. Bettencourt noted the districts that have received the highest numbers of students and said 12 districts have been issued \$60,000 in McKinney-Vento Homeless Education grants. Ms. Bettencourt said the Walmart Foundation donated approximately 650 winter coats for students and she thanked Ms. McKenna for making that connection. Ms. Bettencourt also acknowledged Ms. Trimarchi and the State Student Advisory Council who are leading a hat and

mitten drive for the students. She added that Governor Baker will be including \$15 million in his FY2019 budget proposal for costs incurred by districts to pay for the education of students who have been evacuated to Massachusetts. Secretary Peyser added that this funding will be in a separate line item and these students will not be included in the headcount for the FY2019 budget.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education adjourn the meeting at 2:35 p.m., subject to the call of the Chair.

The vote was unanimous.

Respectfully submitted,
Jeff Wulfson
Acting Commissioner of Elementary and Secondary Education
and Secretary to the Board